

UNITED STATES DISTRICT COURT

for
NORTHERN DISTRICT OF CALIFORNIA
Oakland Venue

FILED

FEB 15 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Amended Petition for Summons for Offender Under Supervision

Name of Offender: Jonathan Paul Linder Docket No.: CR 07-00294-01 MJJ

Name of Sentencing Judge: James Lorenz
United States District Judge
Southern District of California

Date of Original Sentence: July 25, 2003

Original Offense:

Count One: Importation of Marijuana, 21 U.S.C. §§ 952 and 960, a Class B felony.

Original Sentence: 24 months custody, 4 years supervised release.

Special Conditions: Special assessment \$100, search; not own or possess any firearms, explosive device, dangerous weapon; not operate a motor vehicle unless properly licensed to do so; not enter or reside in the Republic of Mexico without written permission of the Court or probation officer; report all vehicles owned or operated or which you have any interest: resolve all outstanding warrants within 120 days.

On May 11, 2007, jurisdiction was transferred from the Southern District of California to the Northern District of California.

Prior form(s) 12;

On June 26, 2007, the court modified the conditions of supervised release to include 90 days of home confinement with electronic monitoring, including the use of global position satellite systems.

Type of Supervision: Supervised Release Date Supervision Commenced: November 10, 2004
Assistant U.S. Attorney: Maureen Besette Defense Counsel: Hillary Fox (AFPD)

Petitioning the Court

The Court takes notice of the Amended Petition for Summons for Offender Under Supervision and directs the defendant to appear in court before The Honorable Martin J. Jenkins, for further revocation proceedings on February 15, 2008 at 2:30 p.m.

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I, Cristopher Taylor, a Probation Officer employed in the United States District Court for the Northern District of California, solemnly affirm and declare, under penalty of perjury, that to the best of my information and belief, the facts set forth in this affidavit are true and correct. The factual affirmations made below are based on my personal knowledge, on official records or documents generated and maintained by my agency in the course of performing its functions, on official records or documents generated and maintained by other government agents or agencies in the course of performing their functions, or on information provided to me orally or electronically by employees or agents of other public agencies (information developed or acquired in the course of performing official agency functions).

<u>Charge Number</u>	<u>Violation</u>
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One	There is probable cause to believe that the offender is in violation of the special condition added June 26, 2007, which directs that he shall participate in the Home Confinement with Electronic Monitoring Program, to include the use of Global Positioning Satellite Systems (GPS), and shall abide by all the requirements of the program for three months.
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While under home confinement on November 27, 2007, the offender traveled out of the Northern District of California without permission to attend a concert performance by the rock band, Van Halen, in Sacramento, California.

Evidence to support this charge is gleaned from review of data contained in the monitoring software which recorded data from the GPS tracking device being carried by the offender.

Two	There is probable cause to believe that the offender violated standard condition number one that the defendant shall not leave the judicial district without authorization.
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While under home confinement on November 27, 2007, the offender traveled out of the Northern District of California without permission to attend a concert performance by the rock band, Van Halen, in Sacramento, California.

Evidence to support this charge is gleaned from review of data contained in the monitoring software which recorded data from the GPS tracking device being carried by the offender.

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Three There is probable cause to believe that the offender violated standard condition number two that the defendant shall report to the probation officer as directed.

The offender failed to report to the Oakland, California United States Probation Officer as directed on Friday November 30, and December 6, 2007.

Evidence to support this charge is contained in the United States Probation chronological records report dated November 29, November 30, December 4, and December 6, 2007.

Four There is probable cause to believe that the offender violated the special condition that the offender shall participate in the Home Confinement with Electronic Monitoring Program and shall abide by all the requirements of the program for a period of 3 months. The defendant shall pay the cost of monitoring at the prevailing rate unless it is determined by the probation officer that he has an inability to pay. A co-payment amount will then be determined by the probation officer.

The offender has not made any payments toward the outstanding monitoring fees. There is a current balance of four hundred and ninety eight (\$498) dollars.

Evidence to support this charge is contained in EM Self Pay Client Summary dated December 13, 2007.

Five There is probable cause to be believe that the offender violated standard condition number three that the defendant shall follow the direction of the probation officer.

On June 11, 2007, the offender was directed to register as a narcotics offender pursuant to California Law. On December 14, 2007, the offender reported that he will not register as directed.

Evidence to support this charge is contained in Northern District of California Probation chronological records report dated December 14, 2007.

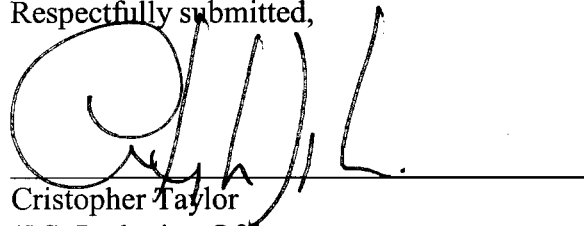
Address of offender: Dock E-33 Berkeley Marina
Berkeley, CA 94719

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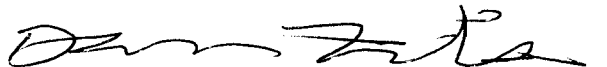
Based on the foregoing, there is probable cause to believe that Jonathan Paul Linder violated the conditions of his supervision.

Respectfully submitted,



Cristopher Taylor
U.S. Probation Officer
Date Signed: February 15, 2008

Approved as to form:

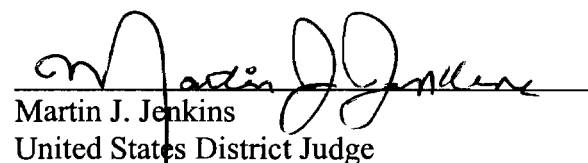


Daniel Zurita
Supervisory U.S. Probation Officer

Having considered the information set forth above, the court finds there is probable cause to believe there has been a violation of the conditions of supervision and orders:

- ☒ The Court takes notice of the Amended Petition for Summons for Offender Under Supervision and directs the defendant to appear in court before The Honorable Martin J. Jenkins, for further revocation proceedings on February 15, 2008 at 2:30 p.m.
- ☐ Other:

2/15/2008
Date



Martin J. Jenkins
United States District Judge